

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING
**OFFENSE CHARGED**

Title 15 U.S.C. Section 1 -- Price Fixing

- ☐
- Petty
- 
- ☐
- Minor
- 
- ☐
- Misdemeanor
- 
- ☒
- Felony

PENALTY: See attachment.

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

**DEFENDANT - U.S.**

CHENG YUAN LIN, aka C.Y. LIN

DISTRICT COURT NUMBER

CR 09

0110

**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

FEDERAL BUREAU OF INVESTIGATION

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE
SHOW  
DOCKET NO.
☐ this prosecution relates to a pending case involving this same defendant
MAGISTRATE  
CASE NO.
☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form JOSEPH P. RUSSONIELLO

☐ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

Niall E. Lynch, Ass't Chief, ATD

**DEFENDANT****IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

 1) ☒ If not detained give date any prior summons was served on above charges
2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction
☐ Federal ☐ State
6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF  
ARREST

Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not

DATE TRANSFERRED  
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**
☐ SUMMONS ☐ NO PROCESS\* ☒ WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

 Defendant Address: Zen-ai Road, 3rd Section,  
 Lane 5 / Alley, 1, Number 2 /  
 Taipei, Taiwan

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments:

PENALTY SHEET

Indivision: CHENG YUAN LIN, aka C. Y. LIN

Maximum Penalties:

1. A fine in an amount equal to the largest of:
  - A. \$1,000,000.00
  - B. Twice the gross pecuniary gain derived from the crime.
  - C. Twice the gross pecuniary loss caused to the victims of the crime.
2. A term of imprisonment for ten years.
3. A term of probation of at least one year but not more than five years.
4. \$100 special assessment.
5. Restitution.

FILED  
09 FEB -4 AM 9:12  
RICHARD L. KIRK  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIF.

CR 09

0110

MMC

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING
**OFFENSE CHARGED**

15 U.S.C. Section 1 -- Price Fixing

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

PENALTY: See attachment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

**DEFENDANT - U.S.**

WEN JUN CHENG, aka TONY CHENG

DISTRICT COURT NUMBER

**CR 09 0110**  
 DEFENDANT
**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

FEDERAL BUREAU OF INVESTIGATION

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

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MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form JOSEPH P. RUSSONIELLO

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

Niall E. Lynch, Ass't Chief, ATD

**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1) ☒ If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4) ☐ On this charge
- 5) ☐ On another conviction } ☐ Federal ☐ State
- 6) ☐ Awaiting trial on other charges
- If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**
☐ SUMMONS ☐ NO PROCESS\* ☒ WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

 Defendant Address: #2 Lane 257, Lin Chung Yang Road  
 #18 Lin, Fu Chung Li, Hsin Chu City  
 Taiwan

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments:

PENALTY SHEET

Indivision: WEN JUN CHENG, aka TONY CHENG

Maximum Penalties:

1. A fine in an amount equal to the largest of:
  - A. \$1,000,000.00
  - B. Twice the gross pecuniary gain derived from the crime.
  - C. Twice the gross pecuniary loss caused to the victims of the crime.
2. A term of imprisonment for ten years.
3. A term of probation of at least one year but not more than five years.
4. \$100 special assessment.
5. Restitution.

FILED  
09 FEB -4 AM 9:16  
RICHARD W. BIERING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MMC

CR 09

0110

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING
**OFFENSE CHARGED**

15 U.S.C. Section 1 -- Price Fixing

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- Petty
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- ☐
- Minor
- 
- ☐
- Misdemeanor
- 
- ☒
- Felony

PENALTY: See attachment

 Name of District Court, and/or Judge/Magistrate Location  
 NORTHERN DISTRICT OF CALIFORNIA
**DEFENDANT - U.S.**

DUK MO KOO

DISTRICT COURT NUMBER

**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

FEDERAL BUREAU OF INVESTIGATION

☐ person is awaiting trial in another Federal or State Court, give name of court

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Furnishing Information on this form JOSEPH P. RUSSONIELLO

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

Niall E. Lynch, Ass't Chief, ATD

**CR 09 DEFENDANT 0110****IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1)
- ☒
- If not detained give date any prior summons was served on above charges
- 
- 2)
- ☐
- Is a Fugitive
- 
- 3)
- ☐
- Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4)
- ☐
- On this charge
- 
- 5)
- ☐
- On another conviction }
- ☐
- Federal
- ☐
- State
- 
- 6)
- ☐
- Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**
☐ SUMMONS ☐ NO PROCESS\* ☒ WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance  
 c/o Wine and Friends

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

 Defendant Address: 3rd Floor, 97-16 Chungdam-dong, Gangnam-gu  
 Seoul, Korea

Date/Time: \_\_\_\_\_ Before Judge: \_\_\_\_\_

Comments:

PENALTY SHEET

Indivision: DUK MO KOO

Maximum Penalties:

1. A fine in an amount equal to the largest of:
  - A. \$1,000,000.00
  - B. Twice the gross pecuniary gain derived from the crime.
  - C. Twice the gross pecuniary loss caused to the victims of the crime.
2. A term of imprisonment for ten years.
3. A term of probation of at least one year but not more than five years.
4. \$100 special assessment.
5. Restitution.

CR 09

0110

FILED  
09 FEB -4 AM 9:12  
RICHARD J. LEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIF. REG.

MMC



# United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

09 FEB -4 AM 9:12  
RECEIVED BY  
U.S. DISTRICT COURT  
SAN FRANCISCO  
FEB 4 2009

MMC

UNITED STATES OF AMERICA,

v.

**CR 09**

**0110**

CHENG YUAN LIN, aka C.Y. LIN,

DEFENDANT(S).

A true bill.

*Paul J. Taylor*

Foreman

Filed in open court this 3 day of

February, 2009

**Brenda Tolbert**

**Maria Elena James**

Clerk

**United States Magistrate Judge**

Bail, \$

*amc wensit*

NO BAIL ARREST WARRANT

United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,

v.

CR 09

0110

WEN JUN CHENG, aka TONY CHENG,

DEFENDANT(S).

A true bill.

*Paul J. Taylor*

Foreman

Filed in open court this 3 day of

February, 2009.

**Brenda Tolbert**

*[Signature]* **Maria Elena James** Clerk

**United States Magistrate Judge**

NO BAIL ARREST WARRANT



United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,

v.

CR 09

0110

DUK MO KOO,

DEFENDANT(S).

A true bill.

*Paul J. Taylor*  
Foreman

Filed in open court this 3 day of

*February*, 2009

**Brenda Tolbert**

*[Signature]*  
**Maria Elena James**

Clerk

**United States Magistrate Judge**

NO BAIL ARREST WARRANT, \$ \_\_\_\_\_

FILED  
09 FEB -4 AM 9:13  
RICHARD W. KING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

1 NIAL E. LYNCH (State Bar No. 157959)  
MICHAEL L. SCOTT (State Bar No. 165452)  
2 HEATHER S. TEWKSBURY (State Bar No. 222202)  
ALEXANDRA J. SHEPARD (State Bar No. 205143)  
3 DAVID J. WARD (State Bar No. 239504)  
Antitrust Division  
4 U.S. Department of Justice  
450 Golden Gate Avenue  
5 Box 36046, Room 10-0101  
San Francisco, CA 94102  
6 Telephone: (415) 436-6660

7 Attorneys for the United States

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

MMC

12 UNITED STATES OF AMERICA )

No. **CR 09**

**0110**

13 v. )

**INDICTMENT**

14 CHENG YUAN LIN, aka C.Y. LIN, )  
WEN JUN CHENG, aka TONY CHENG, )  
15 and DUK MO KOO, )

**VIOLATION:**  
Title 15, United States Code,  
Section 1 (Price Fixing)

16 Defendants. )

San Francisco Venue

17 The Grand Jury charges that:

18 I.

19 DESCRIPTION OF THE OFFENSE

20 1. The following individuals are hereby indicted and made defendants on the charge  
21 stated below:

22 (a) CHENG YUAN LIN, aka C.Y. LIN;

23 (b) WEN JUN CHENG, aka TONY CHENG; and

24 (c) DUK MO KOO.

25 2. From on or about September 14, 2001, until on or about December 1, 2006, the  
26 exact dates being unknown to the Grand Jury, coconspirators of the defendants, LG Display Co.,

INDICTMENT

1 Ltd., formerly known as LG.Philips LCD Co., Ltd. ("LPL"), LG Display America, Inc.,  
2 Chunghwa Picture Tubes, Ltd. ("Chunghwa"), and other corporations and individuals, entered  
3 into and engaged in a combination and conspiracy to suppress and eliminate competition by  
4 fixing the prices of thin-film transistor liquid crystal display panels ("TFT-LCDs") in the United  
5 States and elsewhere. The combination and conspiracy engaged in by the defendants, their  
6 corporate employers, and other coconspirators was in unreasonable restraint of interstate and  
7 foreign trade and commerce in violation of Section 1 of the Sherman Act (15 U.S.C. § 1).

8 3. Defendant CHENG YUAN LIN joined and participated in the conspiracy from at  
9 least as early as September 14, 2001 and continuing until at least April 7, 2003. Defendant WEN  
10 JUN CHENG joined and participated in the conspiracy from at least as early as October 5, 2001  
11 and continuing at least until September 24, 2004. Defendant DUK MO KOO joined and  
12 participated in the conspiracy from at least as early as December 11, 2001 and continuing at least  
13 until December 1, 2005.

14 4. The charged combination and conspiracy consisted of a continuing agreement,  
15 understanding, and concert of action among the defendants, their corporate employers, and other  
16 coconspirators, the substantial terms of which were to agree to fix the prices for TFT-LCDs for  
17 use in notebook computers, desktop computer monitors, and televisions in the United States and  
18 elsewhere.

19 II.

20 MEANS AND METHODS OF THE CONSPIRACY

21 5. For the purpose of forming and carrying out the charged combination and  
22 conspiracy, the defendants, their corporate employers, and other coconspirators did those things  
23 that they combined and conspired to do, including, among other things:

- 24 (a) attended meetings and engaged in conversations and communications in  
25 Taiwan, Korea, and the United States to discuss the prices of TFT-LCDs;  
26 (b) agreed during those meetings, conversations, and communications to

- 1 charge prices of TFT-LCDs at certain levels;
- 2 (c) attended regular group meetings, commonly referred to as "crystal
- 3 meetings," in hotel rooms in Taiwan and agreed during those meetings to
- 4 charge prices for standard-sized TFT-LCDs at certain target levels;
- 5 (d) exchanged TFT-LCD shipping, production, supply, demand, and pricing
- 6 information for the purpose of implementing, monitoring, and enforcing
- 7 adherence to the agreed-upon prices;
- 8 (e) authorized, ordered, and consented to the participation of subordinate
- 9 employees in the conspiracy;
- 10 (g) issued price quotations in accordance with the agreements reached;
- 11 (h) accepted payment for the supply of TFT-LCDs sold at collusive,
- 12 noncompetitive prices to customers in the United States and elsewhere; and
- 13 (i) took steps to conceal the conspiracy and conspiratorial contacts through
- 14 various means.

### 15 III.

#### 16 DEFENDANTS AND COCONSPIRATORS

17 6. Defendant CHENG YUAN LIN is a resident of Taiwan, Republic of China. From

18 at least as early as September 14, 2001 until on or about April 7, 2003, CHENG YUAN LIN was

19 Chairman and Chief Executive Officer of Chunghwa. During the period covered by this

20 Indictment, Chunghwa was a Taiwanese company engaged in the business of producing and

21 selling TFT-LCDs to customers in the United States and elsewhere.

22 7. Defendant WEN JUN CHENG is a resident of Taiwan, Republic of China. From at

23 least as early as September 14, 2001 until on or about September 24, 2004, WEN JUN CHENG

24 was employed by Chunghwa and beginning in March 2002 was Assistant Vice President of Sales

25 and Marketing for Chunghwa. WEN JUN CHENG left his employment at Chunghwa on

26 September 24, 2004.





1 affected, interstate and foreign trade and commerce.

2 V.

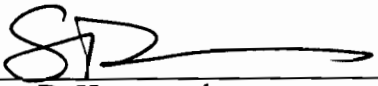
3 JURISDICTION AND VENUE

4 14. The combination and conspiracy charged in this Indictment was carried out, in  
5 part, in the Northern District of California, within the five years preceding the filing of this  
6 Indictment, excluding the period during which the running of the statute of limitations was  
7 suspended pursuant to agreement with defendant CHENG YUAN LIN.


8  
9 ALL IN VIOLATION OF TITLE 15, UNITED STATES CODE, SECTION 1.


10 DATED:

A TRUE BILL

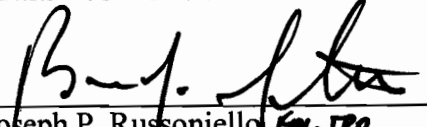
11   
12 Scott D. Hammond  
Acting Assistant Attorney General

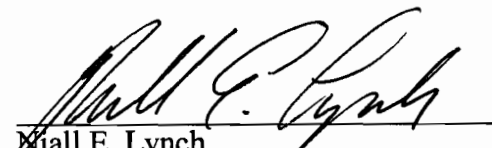
11   
FOREPERSON

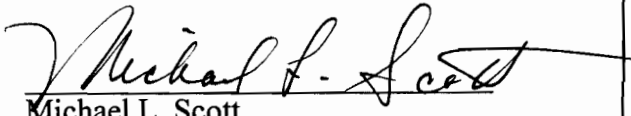
13   
14 Marc Siegel  
15 Director of Criminal Enforcement

14   
Phillip H. Warren  
15 Chief, San Francisco Office

16 United States Department of Justice  
Antitrust Division

17   
18 Joseph P. Russoniello *for JPR*  
19 United States Attorney  
Northern District of California

18   
Miall E. Lynch  
Assistant Chief, San Francisco Office

20   
21 Michael L. Scott  
22 Heather S. Tewksbury  
23 Alexandra J. Shepard  
24 David J. Ward  
Attorneys  
25 U.S. Department of Justice  
Antitrust Division  
450 Golden Gate Avenue  
Box 36046, Room 10-0101  
San Francisco, CA 94102  
26 (415) 436-6660